

Remarks

1. On October 24, 2009, Applicant's Attorney contacted the Examiner by telephone upon receiving a first office action dated September 23, 2009, to bring to the Examiner's attention that an office action had been received with the present captioned information but associated with a different application. The examiner confirmed the mix-up and a new first office action was received November 13, 2009. It is to that November 13, 2009, office action that these remarks are directed.

2. Claims 14-20 stand rejected under 35 USC §101 as not falling within one of the four statutory categories because it fails the "machine or transformation test." Claims 14-20 are amended to satisfy the machine test and thereby overcome this rejection.

3. Claims 1-4, 6-10 and 13-20 stand rejected under 35 USC §103(a) as unpatentable over Kenet et al in view of Imran et al. The cancelation of claims 1-13, 18, and 19, and amendment of claims 14-17 and 20, make this rejection moot.

The combination of Kenet et al and Imram et al do not make it obvious to provide a first set of digital images of all of the skin a patient, to store those images separately on a digital memory device, to review those images using a personal computer and to be able to annotate those images.

Kenet et al are said to teach plural digital images of the skin of a patient adapted for managing the images. Imram et al is said to teach a portable memory storage device. The office action states that it would be obvious to those of ordinary skill in the

art to store the Kenet et al images on a portable memory storage device. However, that is not Applicant's claimed invention. The portable storage device claimed by Applicant contains software that enables the user, when the device is connected to a computer, to navigate said images in a systematic way to look for moles of interest present in the patient's skin, to change the resolution of those images, and to annotate those images, the set of images thereby serving as a record for comparison to a subsequent or a previous set of images of that patient's skin to look for changes in the moles of the skin of that patient over time.

Contrary to the office action, Kenet et al do not teach annotation of images at column 2, lines 32-38, or elsewhere in the Kenet et al specification.

4. Claims 5, 11 and 12 stand rejected under 35 USC §103(a) as unpatentable over Kenet et al, Imran et al, in further view of Killcommons et al. This rejection is moot in view of the cancellation of claims 1, 5, and 12.

5. It is believed all issues in the office action have been addressed by the amendments and remarks presented, and that the present application is in condition for allowance. If any issue remains, the Examiner is requested to contact the Attorney for the Applicant at the telephone number provided below.

Respectfully submitted,


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